

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

KEVIN SIVES, ON BEHALF OF HIMSELF
AND ALL OTHERS SIMILARLY SITUATED,

Plaintiff,

v

DJI TECHNOLOGY, INC. AND
DJI SERVICE LLC

Defendants.

Case No.: 3:17-cv-00294-ARC

Honorable A. Richard Caputo

CLASS ACTION

STIPULATION

WHEREAS, Plaintiff filed his Class Action Complaint against Defendants on February 16, 2017. *See* ECF No. 1.

WHEREAS, Defendants filed a motion to dismiss Plaintiff's Class Action Complaint pursuant to Fed. R. Civ. P. 12(b)(6) on April 24, 2017. *See* ECF No. 12.

WHEREAS, Defendants filed their brief in support of their motion to dismiss pursuant to Local Rule 7.5 on May 8, 2017. *See* ECF No. 13.

WHEREAS, the parties have met and conferred regarding Plaintiff filing a First Amended Class Action Complaint that would add additional plaintiffs from states other than Pennsylvania, additional causes of actions, and additional factual allegations;

WHEREAS, the parties have also met and conferred regarding the subsequent briefing schedule for Defendants' anticipated Rule 12 motion;

WHEREAS, the parties have also met and conferred regarding the need for additional pages in their briefs to address the additional causes of action in the First Amended Class Action Complaint;

WHEREAS, the parties have agreed to the schedule and page limits below.

IT IS HEREBY STIPULATED, by and between the parties hereto, through their respective counsel, as follows:

1. In light of Plaintiff's intent to add additional plaintiffs from additional states, additional causes of action, and additional factual allegations, the parties have agreed to the following schedule:

Plaintiff's First Amended Class Action Complaint: June 12, 2017

Defendants' Motion to Dismiss: July 25, 2017

Plaintiff's Opposition: August 15, 2017

Defendants' Reply: August 29, 2017

2. The parties have further agreed to the following pages limits for briefs on Defendants' anticipated Rule 12 motion:

Defendants' Motion to Dismiss: 25 pages

Plaintiff's Opposition: 25 pages

Defendants' Reply: 15 pages

IT IS SO STIPULATED

Dated: May 22, 2017

McCune Wright Arevalo LLP

By: /s/ Joseph G. Sauder
Joseph G. Sauder

SO ORDERED:

 5/23/17

A. Richard Caputo
United States District Judge

Wilson Sonsini Goodrich & Rosati

By: /s/ Michael H. Rubin
Michael H. Rubin